













## FYANDER'S WIDOW.

Mrs. E. L. FRANCIS (Mrs. FRANCIS BEUNDZEL), author of "Yessna Fleetwood," "The Deceun," "A Girl's Guide," "In the Woods," "Vivian," "Miss Erin," & "A Daughter of the Soil," &c.

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## PART I.—THE SLEEPING BEAUTY.

## CHAPTER VI.—(Continued).

For full story see page 6.

The next day was Thursday—early closing day at Sydney—therefore no one was surprised when Mrs. Fyander, having, as she averred, some business to do in the town, ordered the gig in the forenoon. It was the first time that she had been seen since his husband's death, and she looked general as though she had climbed into it, clad in dark weeds.

The steady old horse looked round when she gathered up the reins, as though wondering at the invasions; for Edna had always been accustomed to her—was and was with some difficulty induced to start.

"Nigger be so wise as a Christian, that he'll come back to us," said the gig.

"He was a studious—and a wise."

"I am not to go to get to the change the same as the last."

"Ay, ay, 'raps he'll not like it as very well,"

said Abel cardinally. "Give a woman a whip in her hand, and she fancies she's bound to let it."

Bat Nigger was suffered to jog along the road; for the old sadness which had filled him now had for a moment checked her spirit; and a new preoccupation was more now added to it. Would Elsie approves of what she was about to do, or would he agree with Jane? No, probably he would say that she was bad; but he was a man with a heart, and she did, and in say that she was the best man he had ever known; and, on the other hand, and frequently speak of Isaac's "notions" with good-humoured derision. It will be seen that Mrs. Fyander's meditations over her friend's gloom were not wholly benevolent.

She had the determination to adhere to her original plan, and she was now on her way to inform two persons whose co-operation would necessarily be in carrying it out.

Her appearance in the shop of Mr. Hardy, the principal grocer in the town, was a source of some commotion. Everybody turned to look at the beautiful young widow, who had indeed for many days past formed the principal topic of conversation among the townsfolk; and much interest was aroused by her hurried request to Mr. Hardy in private.

"Cousin, I am in a fix. Step this way, Jane, open the door there!"

John Hardy, a tall, good-looking young man in a white linen jacket, hastened to obey his master's behest, and was even good enough to accompany the visitor along the passage which led from the shop to the room above. He was a man of few words, but he was never too busy to speak to his visitors.

Some disappointment was experienced in his audience, for he had found that he was more closely connected with them; but his later interview with Rosalie's proposition with grave suspicion.

"I don't exactly see how the plan would work," he remarked, shaking his head. "We all know that you are a good woman, well, Miss Fyander."

Rosalie was a discreet person, and, as she determined not to commit himself. "But we the Blue Vinney, I'd be very glad to oblige you, but I'm really afraid—you see, there's surely any demand for Blue Vinney nowadays."

"I am sure the old folks still have a fondness for her, but she has been mysteriously asked to leave us."

"I am considered a particularly good hand at baking Blue Vinney," said Rosalie. "I used to be quite celebrated, but I have given up now."

"I can easily sell my new home now at Dorchester, only I thought I might give you, the first offer you have dealt with me so long."

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## LAW REPORT.

MONDAY, FEBRUARY 15.

BANCO COURT.

(Before the Chief Justice, Mr. Justice Owen, and Mr. Justice Cohen.)

A LAND TAX APPEAL.

The Question of Interest on Mortgages, by the Commissioner of Taxation (appellant) and B. and W. Armstrong (defendants).

Sir Julian Salomon, K.C., Mr. C. B. Stokoe, and Mr. J. L. Campbell, instructed by the Crown Solicitors, appeared for the appellant; and Mr. Pitcher, Mr. Simpson, and Co., for the respondents.

This was a special case submitted by the Judge of the County Court of New South Wales.

It concerned a will of the late Mr. John D. Donaldson, who was admitted to the Bar nearly a month before his death, in 1890, and for many years a member of the Honourable Society of New South Wales.

H. ALBERT NICHOLSON (H. COLLINS RESPONDENT). There being no appearance in this case, it was struck out.

## MOTIONS FOR PROHIBITION.

Re Co. V. (Cobet and others, respondents).

Sir Julian Salomon, K.C., Mr. C. B. Stokoe,

and Mr. J. L. Campbell, instructed by the Crown

Solicitors, appeared for the respondents; and Mr. Pitcher, Mr. Simpson, and Co., for the appellant.

There was a special case submitted by the Judge of the County Court of New South Wales.

It concerned a will of the late Mr. John D. Donaldson, who was admitted to the Bar nearly a month before his death, in 1890, and for many years a member of the Honourable Society of New South Wales.

The defendants included in the case were

a mortgagee to the Australian Land and Finance Company, Limited.

London company, having its principal office at Sydney, the present respondent claimed to be entitled to have deducted from the taxation assessed a sum equal to the income tax leviable for the year of assessment.

It was contended that the amounts payable were liable to be assessed, and to pay tax upon under the Income Tax Act, 1890.

The plaintiff, Mr. W. A. Armstrong, instructed by Mr. J. L. Campbell, argued that the Armstrongs were entitled to the deduction claimed, and that they were therefore entitled to the deduction in question under the Income Tax Act.

The Commissioner of Taxation refused to allow the deduction claimed on the ground that the income tax was not leviable under the Income Tax Act, 1890, because the amount paid did not exceed the total deduction from the gross income.

After hearing the evidence the Judge decided that the Armstrongs were entitled to the deduction claimed, and that they were not in holding that the interest derived from the mortgage and paid, as already stated, was income arising from the property for the purpose of section 15, sub-section 4, of the Assessment Act, and that income tax was leviable on the interest.

Sir Julian Salomon responded and concluded his argument on behalf of the Commissioners, and the Court reserved judgment.

Mr. W. E. COHEN, K.C.

Was it not clear that he had been appointed a King's Counsel.

(Before the Chief Justice, Mr. Justice Owen, and Mr. Justice Walker.)

## EQUITY APPEALS.

Brennan v. Pitt, Son, and Badger.

The Attorney-General (Mr. W. E. Burrows) and Mr. Justice Walker, K.C., for the plaintiff; Mr. Justice Pitt, Son, and Badger, instructed by Messrs. Moore, Miller, Simpson, and Co., for the respondents.

There was an appearance on behalf of H. G. Burcher. This was an appeal brought by the plaintiff, H. G. Burcher, against the decision of the Chief Judge in equity upon a summons issued by the plaintiff on September 7. It appears that the plaintiff had given notice to the defendant that he was in possession of what was owing under a mortgage of June 25, 1890, of a house and land held by the plaintiff to defendant, Burcher, and that he had a absolute right to a judgment for the amount of £500 or more, plus costs.

H. E. TOOMEY v. E. TOOMEY and another.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

Mr. W. T. Flynn, instructed by Mr. W. T. Flynn

and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

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and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

There was an appearance on behalf of Mr. W. T. Flynn.

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and Mr. J. L. Campbell, for the plaintiff; and Mr. Justice Pitt, Son, and Badger, for the respondents.

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There was an appearance on behalf of Mr. W. T. Flynn.

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## THE SYDNEY MORNING HERALD, TUESDAY, FEBRUARY 19, 1901.

## MONETARY AND COMMERCIAL.

Business in the Stock and Share market to-day seemed moderately, with very little alteration in quotations. Union Bank of Australia were a little higher, and Australian Gaslight also brought a little. Otherwise there was very little movement in the market.

The following sales were reported on the Sydney Stock Exchange to-day:—Fresenon Union Bank, 372; North Shore Gas, 26; 34; Moon: A.J.H. Bank "B" Deposits, 132; 40; Sydney Ferries, 33; 40; Colonial Bank, 40; Latex Co., 100; 100; 100; 100; Afternoon: A.J.H. Bank "B" Deposits, 123 M.; Fresh Food and Ice Company, 16; 63; Mont de Piste, 26; 34. The closing quotations were:—

